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REMARKS

In accordance with the foregoing, claims 7, 8, and 19 have been cancelled without prejudice or disclaimer, and claims 1, 2, 9, 11, 14-16, and 18 have been amended only to place the claims in even better form and to correct typographical errors. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1-6 and 9-18 are pending and under consideration. Reconsideration of the claims is respectfully requested.

REJECTION UNDER 35 U.S.C. §103

In the Office Action at page 2, claims 1-12, 14, 16, 18, and 19 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,829,430 to Ashizaki et al. in view of U.S. Patent No. 6,173,407 to Yoon et al. Of the rejected claims, claims 7, 8, and 19 have been cancelled. This rejection is traversed and reconsideration is requested.

Independent claim 1 recites, *inter alia*, "acquiring a content corresponding to the photographing position information from a position-distinction contents database based on the photographing position information in the accepted photographed data, wherein said position-distinction contents database stores photographing position information and content in a correlated manner".

Ashizaki et al. is directed to an image recording apparatus that can obtain a train of parallax images for preparing a holographic stereogram, without the necessity of laying rails. The Office Action cited to col. 19, lines 16-35, as describing the above feature of claim 1. However, the passage cited by the Office Action is directed toward the recording of two different types of auxiliary information. Applicant respectfully submits that the storage of auxiliary information is patentably different than "acquiring a content" as in claim 1. Content, as stated in claim 1, lines 9-10 is not auxiliary data, but "data symbolizing an area which corresponds to the photographing position information and fee information which corresponds to the data."

The Office Action relies upon col. 17, lines 63-col. 18, lines 20 of Ashizaki et al. to describe the following feature of claim 1: "content includes data symbolizing an area which corresponds to the photographing position information." The cited portion of Ashizaki et al., however, describes the recording of position data of a video camera, and distance and direction of a camera with respect to a predetermined reference point. Nowhere in this passage does Ashizaki et al. teach or suggest "data symbolizing an area."

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The Office Action also cited to Ashizaki et al., col. 10, lines 40-64 as describing another feature of claim 1: "inserting and editing the acquired content into a portion of the photographed data corresponding to the photographing position information." However, Ashizaki et al. fails to teach or suggest inserting or editing acquired content into photographic data. Ashizaki et al. does not describe editing or inserting the photographic images at all. Rather, Ashizaki et al. merely discusses obtaining a train of parallax images, focused on perspective of a particular photographed subject, and not editing or inserting photographed data.

Thus, Applicant respectfully submits that Ashizaki et al. fails to teach or suggest the features of claim 1 as cited by the Office Action.

The Office Action concedes that Ashizaki et al. fails to teach or suggest "fee information that corresponds to the data," but asserts that Yoon et al. at col. 7, lines 9-50, remedies this deficiency of Ashizaki et al. Applicant respectfully submits that Yoon et al. is directed towards a method of authenticating and charging a client using a web infoshop service system, and that there would be an insufficient motivation to combine such a reference with Ashizaki et al. Ashizaki et al. does not suggest or otherwise provide motivation that its description of a device that takes parallax images in order to prepare a holographic stereogram could be combined with the web infoshop system of Yoon et al. Thus Applicant respectfully submits that Ashizaki et al. and Yoon et al., whether taken alone or in combination, fail to teach or suggest all of the features of independent claims 1, 9, 11, and 12, and those claims depending directly or indirectly therefrom. Accordingly, for at least the reasons set forth above, Applicant respectfully submits that claims 1-5, 9, and 11-18 patentably distinguish over the cited art and are in condition for allowance.

Claim 6 recites inter alia "receiving the photographed data, into which a content corresponding to the photographing position information is inserted and edited by the server, from the server based on the transmitted photographing position information." The Office Action cited to Ashizaki et al., col. 10, lines 40-64 as describing this feature, however, nowhere does Ashizaki et al. describe editing or inserting of the photographed data at all, rather it is merely directed toward obtaining a train of parallax images, focused on perspective of a particular photographed subject, and not editing or inserting photographed data. Thus, Applicant respectfully submits that Ashizaki et al. and Yoon et al., whether taken alone or in combination, fail to teach or suggest all of the features of independent claims 6 and 10. Accordingly, favorable reconsideration and withdrawal of the rejection of independent claims 6 and 10 is respectfully requested.

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In the Final Office action at page 6, claims 13, 15, and 17 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ashizaki et al. in view of U.S. Patent No. 6,411,725 to Rhoads. Applicant respectfully submits that claims 13, 15 and 17 depend directly upon claims 1, 7 and 9 respectively, and thus are patentably distinguishable from the cited art for the aforementioned reasons. Moreover, Rhoads, which is directed toward watermarked video objects, fails to cure the deficiencies of Ashizaki et al. Accordingly, favorable reconsideration and withdrawal of the rejection of claims 13, 15, and 17 is respectfully requested.

In view of the foregoing, Applicant respectfully submits that the independent claims patentably define the present invention over the citations of record. Further, the dependent claims should also be allowable for the same reasons as their respective base claims and further due to the additional features that they recite. Separate and individual consideration of the dependent claims is respectfully requested.

Applicant believes that the present Amendment is responsive to each of the points raised by the Examiner in the Official Action. However, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to such matters.

There being no further outstanding objections or rejections, it is submitted that the present application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date:

15 Aug 2006

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LETTER OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted via facsimile to: Commissioner for Patents
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on August 18, 2006
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By Barbara Gardner
Date August 18, 2006